

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

FEDERAL TRADE COMMISSION; STATE
OF NEW YORK; STATE OF CALIFORNIA;
STATE OF ILLINOIS; STATE OF NORTH
CAROLINA; STATE OF OHIO;
COMMONWEALTH OF PENNSYLVANIA;
and COMMONWEALTH OF VIRGINIA,

Plaintiffs,

v.

VYERA PHARMACEUTICALS, LLC;
PHOENIXUS AG; MARTIN SHKRELI,
individually, as an owner and former
director of Phoenixus AG and a former
executive of Vyera Pharmaceuticals, LLC;
and KEVIN MULLEADY, individually, as
an owner and former director of Phoenixus
AG and a former executive of Vyera
Pharmaceuticals, LLC,

Defendants.

Case No. 1:20-cv-00706-DLC

Confirmation of Service of the Court's January 20, 2023 Order

Maren Haneberg, pursuant to 28 USC § 1746, declares as follows:

1. I represent the Federal Trade Commission in this action.
2. Pursuant to the Court's order of January 20, 2023 (ECF 923), on behalf of all Plaintiffs I served a copy of the same order on both Martin Shkreli and Brianne Murphy today via email.
3. Mr. Shkreli and Ms. Murphy both promptly confirmed via email that they accepted service of the order.
4. Mr. Shkreli's email accepting service of the order is attached as Exhibit A.
5. Ms. Murphy's email accepting service of the order is attached as Exhibit B.

6. I am providing a copy of this Confirmation of Service to Ms. Murphy and Mr. Shkreli via email.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 20, 2023

/s/ Maren Haneberg
Maren Haneberg

Exhibit A

Haneberg, Maren

From: Martin Shkreli <martin@martinshkreli.com>
Sent: Friday, January 20, 2023 4:25 PM
To: Haneberg, Maren
Subject: Re: FTC v. Shkreli (1:20-cv-00706-DLC): Motion for an order to show cause

I agree to accept service.
Martin Shkreli

On Fri, Jan 20, 2023 at 4:16 PM Haneberg, Maren <mhaneberg@ftc.gov> wrote:

Brianne & Mr. Shkreli:

Upon a closer reading of Judge Cote's order issued today (attached), Plaintiffs are required to also serve a copy of the order directly on Mr. Shkreli as he is not yet officially represented in this action.

I would appreciate it if you would each reply to this email stating whether you accept this email as service of the order. If Mr. Shkreli does not agree to service by email, please provide a current address where we can mail the order.

Thanks,

Maren

From: Brianne Murphy <brianne@industriellaw.com>
Sent: Friday, January 20, 2023 4:01 PM
To: Haneberg, Maren <mhaneberg@ftc.gov>
Cc: Elinor.Hoffmann@ag.ny.gov; Amy.McFarlane@ag.ny.gov; Zain, Saami <Saami.Zain@ag.ny.gov>; Quyen D. Toland <Quyen.Toland@doj.ca.gov>; Michael.Goldsmith@doj.ca.gov; Schultz, Richard <Richard.Schultz@ilag.gov>; Beth Finnerty <beth.finnerty@ohioago.gov>; Derek Whiddon <Derek.Whiddon@ohioago.gov>; jsutton2@ncdoj.gov; twertz@attorneygeneral.gov; jbetsko@attorneygeneral.gov; Henry, Tyler T. <thenry@oag.state.va.us>; Petrizzi, Maribeth <mpetrizzi@ftc.gov>; Huber, Susan <SHUBER@ftc.gov>; Sims, Danielle <dsims1@ftc.gov>; Meier, Markus H. <MMEIER@ftc.gov>; Albert, Bradley Scott <BALBERT@ftc.gov>; Guy, Stephanie <sguy@ftc.gov>; Tasso, Christine <ctasso@ftc.gov>
Subject: Re: FTC v. Shkreli (1:20-cv-00706-DLC): Motion for an order to show cause

Hi Maren,

Thank you. I will let Martin know. Best, Brianne

Sent from my iPhone

On Jan 20, 2023, at 3:56 PM, Haneberg, Maren <mhaneberg@ftc.gov> wrote:

Brianne:

Judge Cote has issued the attached order, setting February 10, 2023, as the deadline for any opposition to our motion and February 24, 2023, as the deadline for any reply.

Please let me know if you accept this email as service.

Thanks,

Maren

From: Haneberg, Maren

Sent: Friday, January 20, 2023 12:07 PM

To: Brianne Murphy <brianne@industriellaw.com>

Cc: Elinor.Hoffmann@ag.ny.gov; Amy.McFarlane@ag.ny.gov; Zain, Saami <Saami.Zain@ag.ny.gov>; Quyen D. Toland <Quyen.Toland@doj.ca.gov>; Michael.Goldsmith@doj.ca.gov; Schultz, Richard <Richard.Schultz@ilag.gov>; Beth Finnerty <beth.finnerty@ohioago.gov>; Derek Whiddon <Derek.Whiddon@ohioago.gov>; jsutton2@ncdoj.gov; twertz@attorneygeneral.gov; jbetsko@attorneygeneral.gov; Henry, Tyler T. <thenry@oag.state.va.us>; Petrizzi, Maribeth <mpetrizzi@ftc.gov>; Huber, Susan <SHUBER@ftc.gov>; Sims, Danielle <dsims1@ftc.gov>; Meier, Markus H. <MMEIER@ftc.gov>; Albert, Bradley Scott <BALBERT@ftc.gov>; Guy, Stephanie <sguy@ftc.gov>; Tasso, Christine <ctasso@ftc.gov>

Subject: FTC v. Shkreli (1:20-cv-00706-DLC): Motion for an order to show cause

Brianne:

Attached please find a courtesy copy of Plaintiffs' Motion for an Order to Show Cause Why Defendant Shkreli Should Not Be Held in Civil Contempt for Violating the Court's February 4, 2022 order and

supporting materials, which was just filed on ECF. A paper service copy has also been mailed to you at the address posted on your firm's website (600 Pennsylvania Ave., SE, No. 200, Washington, DC 20003).

Thanks,

Maren

Maren Haneberg

FTC Health Care Division

(202) 326-3084

mhaneberg@ftc.gov

Exhibit B

Haneberg, Maren

From: Brianne Murphy <brianne@industriellaw.com>
Sent: Friday, January 20, 2023 4:26 PM
To: Haneberg, Maren
Cc: martin@martinshkreli.com; Elinor.Hoffmann@ag.ny.gov; Amy.McFarlane@ag.ny.gov; Zain, Saami; Quyen D. Toland; Michael.Goldsmith@doj.ca.gov; Schultz, Richard; Beth Finnerty; Derek Whiddon; jsutton2@ncdoj.gov; twertz@attorneygeneral.gov; jbetsko@attorneygeneral.gov; Henry, Tyler T.; Petrizzi, Maribeth; Huber, Susan; Sims, Danielle; Meier, Markus H.; Albert, Bradley Scott; Guy, Stephanie; Tasso, Christine
Subject: Re: FTC v. Shkreli (1:20-cv-00706-DLC): Motion for an order to show cause
Attachments: 923, 2023.01.20 Order to Show Cause.pdf

I accept service via email. Thank you. Brianne

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<Saami.Zain@ag.ny.gov>; Quyen D. Toland <Quyen.Toland@doj.ca.gov>;

Michael.Goldsmith@doj.ca.gov; Schultz, Richard <Richard.Schultz@ilag.gov>; Beth

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jbetsko@attorneygeneral.gov; Henry, Tyler T. <thenry@oag.state.va.us>; Petrizzi,

Maribeth <mpetrizzi@ftc.gov>; Huber, Susan <SHUBER@ftc.gov>; Sims, Danielle

<dsims1@ftc.gov>; Meier, Markus H. <MMEIER@ftc.gov>; Albert, Bradley Scott

<BALBERT@ftc.gov>; Guy, Stephanie <sguy@ftc.gov>; Tasso, Christine <ctasso@ftc.gov>

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Maren Haneberg

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